

RECEIVED
CENTRAL FAX CENTER
JUL 06 2005

001

Knobbe Martens Olson & Bear LLP
 Intellectual Property Law

2040 Main Street
 Fourteenth Floor
 Irvine, CA 92614
 Tel 949-760-0404
 Fax 949-760-9502
 www.kmob.com

USPTO FACSIMILE TRANSMITTAL SHEET

Page 1 of 1

Docket No.: VALTX.002A

CUSTOMER NO. 20995

Applicant : Jonathan Kagan et al.
 App. No. : 10/699,589
 Filed : October 31, 2003
 For : APPARATUS AND METHODS FOR
 TREATMENT OF MORBID OBESITY
 Examiner : Suzette J. Gherbi
 Group Art Unit : 3738

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being transmitted via facsimile to the USPTO Central Fax No. (703) 872-9306 on the date shown below:

July 6, 2005

Gerard von Hoffmann
 Gerard von Hoffmann, Reg. No. 33,043

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

(X) Amendment/Response in 10 pages.

(X) After Final

FILING FEES:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Total Claims minus 20; or Previously Paid	59 - 68 = 0	1202 (\$50)	0 x 25 =	\$0
Independent minus 3; or Previously Paid	4 - 4 = 0	1201 (\$200)	0 x 100 =	\$0
Multiple Claim		1203 (\$360)		\$0
			SUB TOTAL	\$0
The present application qualifies for Small Entity status under 37 CFR § 1.27. Fee reduced by 1/2.				(\$0)
			TOTAL FEE DUE	\$0

(X) Total pages in transmission: 11

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.

Gerard von Hoffmann
 Gerard von Hoffmann
 Registration No. 33,043
 Attorney of Record
 Customer No. 20,995
 (949) 760-0404

1802543 070605

San Diego
 619-235-8550

San Francisco
 415-954-4114

Los Angeles
 310-551-3450

Riverside
 951-781-9231

San Luis Obispo
 805-547-5580

**RECEIVED
CENTRAL FAX CENTER
JUL 06 2005**

VALTX.002A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

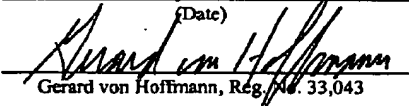
Applicant : Jonathan Kagan et al.
Appl. No. : 10/699,589
Filed : October 31, 2003
For : APPARATUS AND METHODS
FOR TREATMENT OF MORBID
OBESITY
Examiner : Suzette J. Gherbi
Group Art Unit : 3738

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all
marked attachments are being transmitted via
facsimile to the USPTO Central Fax No. (703)
872-9306 on the date shown below:

July 6, 2005

(Date)


Gerard von Hoffmann, Reg. No. 33,043**AMENDMENT AFTER FINAL**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed June 6, 2005, please amend the above-referenced application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.